


[Home](#) » [Administrative Investigations IAD/COPA](#) » [View Incident](#)
[Print Face Sheet](#)
[Print Current Case Summary](#)
[< Return](#)
[Incident Review](#)
[Investigation](#)

Reporting Category

No Reporting Category entered.


Log No: 1075019 Type:INFO

Accused Members

Review	Name	Status	Accused Overall Finding	Recommended Penalty	No. of Days	Date/Time Served	Created Date	Complimentary History
-	CHILDS LAUGHLIN, PAMELA	CLOSED/NO CONVERSION	NO AFFIDAVIT	-	-	-	05-MAY-2015	N/A
-	STRUCK, JOSEPH	CLOSED/NO CONVERSION	NO AFFIDAVIT	-	-	-	05-MAY-2015	N/A

row(s) 1 - 2 of 2

Attachments

	No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
View	1	FACE SHEET	N/A	-	-	-	QUERFURTH, PATRICK	MAY-05-2015 14:46	-	-	-
View	2	CONFLICT CERTIFICATION	N/A	-	-	-	QUERFURTH, PATRICK	JUN-08-2015 08:38	-	-	-
View	3	CONFLICT CERTIFICATION	N/A	-	-	-	HILL, CHANTELLE	JUN-12-2015 10:05	-	-	-
View	4	COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS)	N/A	15	Civil Notification, Summons, Complaint	YES	HILL, CHANTELLE	JUN-15-2015 09:01	APPROVED	-	YES
View	5	ARREST REPORT	N/A	5	-	YES	HILL, CHANTELLE	JUN-15-2015 09:01	APPROVED	-	YES
View	6	PHOTOGRAPH	N/A	5		YES	HILL, CHANTELLE	JUN-15-2015 09:03	APPROVED	-	YES
View	7	ARREST HISTORY	N/A	1	-	YES	HILL, CHANTELLE	JUN-15-2015 09:03	APPROVED	-	YES
View	8	GENERAL OFFENSE CASE REPORT	N/A	2	Incident report	YES	HILL, CHANTELLE	JUN-15-2015 09:04	APPROVED	-	YES
View	9	DETECTIVE SUPPLEMENTARY REPORT	N/A	2	-	YES	HILL, CHANTELLE	JUN-15-2015 09:06	APPROVED	-	YES
View	10	REPORT (OTHER)	N/A	1	CLEAR Data Warehouse records	YES	HILL, CHANTELLE	JUN-15-2015 09:08	APPROVED	-	YES
View	11	CHICAGO POLICE DEPARTMENT EVENT QUERY	N/A	1	#1502703438	YES	HILL, CHANTELLE	JUN-15-2015 09:09	APPROVED	-	YES

View	12	REPORT (OTHER)	N/A	1	To-From Re: Atty Declination	YES	HILL, CHANTELLE	JUN-15- 2015 09:11	APPROVED -	YES
View	13	INVESTIGATOR CASE LOG	N/A	1	-	YES	HILL, CHANTELLE	JUN-15- 2015 09:12	APPROVED -	YES

row(s) 1 - 13 of 13

Internal Use Only

No Internal Use Only attachments available.

Print Accused Appeal Forms

No Accused Appeal forms available for this Log No.

Related Incidents

☒ **TIP** Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

No Related Incidents associated with this Log No.

Status History

☒ **TIP** Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/ Detailed Unit	Comments
CLOSED/NO CONVERSION	15-JUN-2015 12:53	QUERFURTH, PATRICK	SUPERVISING INV COPA		113 / -	-
CLOSED AT C.O.P.A.	15-JUN-2015 12:51	QUERFURTH, PATRICK	SUPERVISING INV COPA		113 / -	-
PENDING INVESTIGATIVE REVIEW	15-JUN-2015 09:13	HILL, CHANTELLE	INVESTIGATOR I COPA		113 / -	-
PENDING INVESTIGATION	08-JUN-2015 08:38	QUERFURTH, PATRICK	SUPERVISING INV COPA		113 / -	-
PENDING ASSIGN INVESTIGATOR	20-MAY-2015 12:34	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	-
PENDING ASSIGN TEAM	05-MAY-2015 14:47	QUERFURTH, PATRICK	SUPERVISING INV COPA		113 / -	-
PENDING SUPERVISOR REVIEW	05-MAY-2015 14:47	QUERFURTH, PATRICK	SUPERVISING INV COPA		113 / -	-
PRELIMINARY	05-MAY-2015 14:46	QUERFURTH, PATRICK	SUPERVISING INV COPA		113 / -	-

row(s) 1 - 8 of 8

Command Channel Reviewers

No Command Channel Reviewers have been assigned.

CHICAGO POLICE DEPARTMENT
EVENT QUERY

06-MAY-2015 PAGE 1

Event # 1502703438

Type	Location	Date	Pri	DG	Svc Beat	Disp
TELHAR		27-JAN-2015 09:18:49	3D	012	1225	2825
Source	Response Level	Caller			Phone	
W						
Address of Occurrence					Occ Beat	
					1225	

Event Chronology

Date	Activity	Wkstn	Person	Text
27-JAN-2015 09:18:49	ENTRY	NE10	RT38484	
27-JAN-2015 09:18:49	DSP	NE10	RT38484	9190
27-JAN-2015 09:18:49	CASERD	NE10	RT38484	RDG Report Number \$CPDHY130190 for unit 9190, D/2825
27-JAN-2015 09:18:49	CLEAR	NE10	RT38484	D/2825
27-JAN-2015 09:18:49	ADVD	NE10	RT38484	Advised/ 'Walk-In' action closed
	RMKS			com. has an order against her ex but he contacted her to check fb where he put many disgusting emails about her

LOG# 1075019
Attachment 11

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1075019
05 May 2015

To: Chief Administrator
Independent Police Review Authority

From: Investigator Chantelle Hill, #172

Subject: Phone call w/ [REDACTED]

On 11 June 2015 at 1230 hours, the reporting investigator contacting counsel in response to a notification of a civil suit naming Plaintiff [REDACTED]. Counsel expressed that his client would not be interested in cooperating with any IPRA investigation.

[REDACTED]
Inv. Chantelle Hill, #172

APPROVED: [REDACTED]

Supervisor, IPRA

LOG# 1075019
Attachment 12

28 APR 2015

CIVIL SUIT NUMBER

15 CV 1739

NAME OF DEFENDANT(S) OR OFFICERS

P.O. JOSEPH STRUCK #20857 EMP# [REDACTED] UNIT 610 DOA 26 MAR 1990
P.O. PAMELA CHILDS-LAUGHLIN #20614 EMP# [REDACTED] UNIT 610 DOA 02 JAN 1992

LOCATION OF INCIDENT

WILL COUNTY COURTHOUSE
14 JEFFERSON STREET
JOLIET, IL 60432

DATE & TIME OF INCIDENT

04 FEB 2015

UNKNOWN HOURS

NAME OF PLAINTIFF'S ATTORNEY

[REDACTED]
[REDACTED]
[REDACTED]
WILLOWBROOK, IL 60527

TELEPHONE

[REDACTED]

PLAINTIFF:

[REDACTED]

ALLEGATION(S): PLAINTIFF ALLEGES FALSE ARREST, UNLAWFUL
DETENTION, EXCESSIVE FORCE, AND BATTERY.

COMPLAINT REGISTER NUMBER

~~1075019~~ 1075019

UNIT ASSIGNED TO INVESTIGATION
INDEPENDENT POLICE REVIEW AUTHORITY

LOG# 1075019
Attachment 4

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

[REDACTED]

V.

City of Chicago et al.

CASE NUMBER: 15 cv 1739

ASSIGNED JUDGE: Hon. Joan B. Gottschall

DESIGNATED
MAGISTRATE JUDGE: Hon. Mag. Sidney Schenkier

TO: (Name and address of Defendant)

Detective Pamela Childs
Chicago Police Department
3510 S. Michigan
Chicago, Illinois 60653

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

[REDACTED]

DVORAK LAW OFFICES, LLC
6262 Kingery Highway, Suite 305
Willowbrook, IL 60527

an answer to the complaint which is herewith served upon you, 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

THOMAS G. BRUTON, CLERK

[REDACTED]

(By) DEPUTY CLERK



February 27, 2015

DATE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

[REDACTED]

V.

City of Chicago et al.

CASE NUMBER: 15 cv 1739

ASSIGNED JUDGE: Hon. Joan B. Gottschall

DESIGNATED
MAGISTRATE JUDGE: Hon. Mag. Sidney Schenkier

TO: (Name and address of Defendant)

Detective Joseph Struck
Chicago Police Department
3510 S. Michigan
Chicago, Illinois 60653

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

[REDACTED]
DVORAK LAW OFFICES, LLC
6262 Kingery Highway, Suite 305
Willowbrook, IL 60527

an answer to the complaint which is herewith served upon you, 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

THOMAS G. BRUTON, CLERK

Paul Brison

(By) DEPUTY CLERK



February 27, 2015

DATE

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

<div style="background-color: black; width: 150px; height: 1.2em; display: inline-block;"></div>)	
)	
Plaintiff,)	
)	Case No. 15 cv 1739
vs.)	
)	
CITY OF CHICAGO,)	
a municipal corporation,)	
DETECTIVE JOSEPH STRUCK,)	
DETECTIVE PAMELA CHILDS,)	
JOHN DOE OFFICER 1,)	
JOHN DOE OFFICER 2,)	
JOHN DOE OFFICER 3,)	
JOHN DOE OFFICER 4,)	
JOHN DOE OFFICER 5,)	
City of Chicago police officers,)	
)	
Defendants.)	

COMPLAINT

Jurisdiction/Venue

1. This incident occurred on or about February 4, 2015 in Will and Cook Counties, Illinois.
2. The jurisdiction of this Court is invoked pursuant to the Civil Rights Act, 42 U.S.C. § 1983, § 1988, the judicial code 28 U.S.C. § 1331 and § 1343(a); the Constitution of the United States, and pendent jurisdiction, as provided under U.S.C. § 1367(a).
3. Venue is proper under 28 U.S.C. § 1391(b). On information and belief, all of the parties reside in this judicial district, and the events giving rise to the claims asserted herein all occurred within the district.

Parties

4. The Plaintiff, is a resident of the Will County, Illinois, located

in the Northern District of Illinois.

5. The Plaintiff is physically disabled, had a stroke a year and a half ago, and suffers from a variety of medical ailments and physical disabilities, including but not limited to, diabetes, heart disease, kidney disease, eye disease and neuropathy, among others.

6. These various ailments require the Plaintiff to take a daily regiment of medication, including several doses of insulin and dozens of pills per day.

7. Defendant City of Chicago is a municipal corporation and, at all times relevant to this Complaint, it was the principal employer of the Defendant Joseph Struck ("Defendant Struck"), Defendant Pamela Childs ("Defendant Childs"), Defendant John Doe Officer 1, Defendant John Doe Officer 2, Defendant John Doe Officer 3, Defendant John Doe Officer 4 and Defendant John Doe Officer 5, who were acting under color of law and in the scope of their employment with Defendant City Chicago as duly sworn police officers.

Facts

8. On or about February 4, 2015, as the Plaintiff was inside the Will County Courthouse, exiting a divorce proceeding where he was appearing *pro se*, Defendants John Doe Officer 1 and John Doe Officer 2 (together the "First Defendant Officers"), two white male officers in plain clothes, arrested the Plaintiff without any probable cause or legal justification for doing so.

9. The First Defendant Officers identified themselves as members of the Chicago Police Department Fugitive Task Force team.

10. In arresting the Plaintiff, the First Defendant Officers placed handcuffs on the Plaintiff, thus restricting his freedom of movement. While in the Will County Courthouse parking lot, the Plaintiff told the First Defendant Officers that the handcuffs were too tight and

causing him pain, and that he recently had hand surgery. The First Defendant Officers ignored the Plaintiff and refused to loosen his handcuffs, causing unnecessary pain and suffering. These handcuffs remained on the Plaintiff for at least an hour before they were finally removed at the Chicago police station where he was transported to.

11. Before being transported and during the transport, the Plaintiff alerted the First Defendant Officers to his various serious medical conditions and physical disabilities that required a daily medication regiment. While the First Defendant Officers allowed the Plaintiff to retrieve insulin from his car, in the Will County Courthouse parking lot, the First Defendant Officers did not allow the Plaintiff to retrieve additional required medications from the Plaintiff's home, even though they knew this refusal would expose the Plaintiff to a serious health risk.

12. There was no probable cause or other legal justification for the arrest of the Plaintiff.

13. Following the illegal arrest, the First Defendant Officers transported the Plaintiff to Area 2 Chicago Police Headquarters, where he was locked in a room for several hours. The Plaintiff requested from the First Defendant Officers his medication and that he be taken to a hospital to be given his medication, but these requests were ignored.

14. The Plaintiff knocked on the door requesting medical assistance and to use the bathroom, but he was ignored for several hours by one or more Chicago police officers.

15. Several hours later, Defendant Struck entered the room. The Plaintiff told Defendant Struck about his immediate and serious medical issues (including but not limited to his recent hand surgery, kidney disease, history of stroke, eye disease, diabetes, heart disease and neuropathy), that he needed his various medications, that he needed to keep hydrated, that he needed food, that he could not hold his urine without serious health exposure, and that, because

of his serious medical issues, he needed food and drink and needed to use the restroom. The Plaintiff also notified Defendant Struck that he needed to go to the hospital to get his medications. The Plaintiff also requested his attorney.

16. Defendant Struck denied the Plaintiff access to his attorney, access to medical care, access to the restroom, access to the hospital, and did not give him any food. Defendant Struck finally provided the Plaintiff with approximately six ounces of water in a small cup that the Plaintiff drank. However, Defendant Struck continued to deny the Plaintiff's request to use the bathroom, and thus the Plaintiff was forced to urinate into that same small cup since Defendant Struck would not allow the Plaintiff access to the restroom.

17. Several more hours passed, and the Plaintiff remained illegally detained, suffering from his various medical ailments, and in desperate need of medical assistance, food and more water. At some point, Defendant Childs (whom the Plaintiff made aware of all his serious and imminent medical ailments and needs but was ignored) moved the Plaintiff to another room. Once there, the Plaintiff once again asked Defendant Struck and Defendant Childs for an attorney, and for medical attention, food and water, all of which were denied.

18. Even though Defendant John Doe Officers 1 and 2 and Defendants Struck and Childs knew the Plaintiff had insulin with him at the police station, knew he had diabetes (among other medical conditions), and knew this was a serious medical situation that needed immediate medical attention, these officers refused to simply allow the Plaintiff to take his desperately needed insulin. This was due to these officers' deliberately indifferent acts and/or alternatively due to the City of Chicago's policy or policies not allowing the Plaintiff to take medication while at the police station. At no time while the Plaintiff was at the police station was he allowed to take any medication, including his insulin.

19. Time passed, Defendant John Doe Officer 3, a Hispanic male Chicago Police Officer, and Defendant John Doe Officer 4, an African American Chicago Police Officer (together the "Second Defendant Officers"), handcuffed the Plaintiff, put him in leg shackles, and transported the Plaintiff to the hospital (the Plaintiff was actually transported to two hospitals but the first one did not have his medications so the Plaintiff will only refer to one hospital visit). The Plaintiff told the Second Defendant Officers that the handcuffs were too tight and were hurting him and that he had recent hand surgery, but the Second Defendant Officers refused to loosen the handcuffs, causing unnecessary pain and suffering.

20. Once at the hospital, the Plaintiff received some medical care, food and water, and there he was finally able to take some of his prescription medications. While there, the Plaintiff again told the Second Defendant Officers that he was experiencing pain and numbness because his handcuffs were too tight. However, the Second Defendant Officers again refused to unhandcuff the Plaintiff or loosen his cuffs for a prolonged period of time.

21. After leaving the hospital, the Second Defendant Officers put the Plaintiff in the back seat of a police vehicle that was equipped with seat belts, but failed to fasten the Plaintiff's seat belt, despite his request to do so (this same request was made of the Second Defendant Officers during the transport to the hospital but was denied, and during this transportation the Plaintiff made the officers aware of how uncomfortable and unsafe it was to transport him in this manner). The Plaintiff remained handcuffed with his arms behind his back and his legs shackled while in the back seat of the squad car.

22. Shortly thereafter, the squad car the Plaintiff was riding in was in a car accident and the Plaintiff, who did not have his seat belt on, and who was still handcuffed and shackled, first was jarred backward, then went flying forward, directly into the metal divider in the squad

car in a classic “whiplash” type of action. The Plaintiff, injured and bloodied, was transported back to the hospital by ambulance, all the while remaining handcuffed and shackled.

23. Defendant John Doe Officer 5, an African American Chicago Police Officer, accompanied the Plaintiff back to the hospital. The Plaintiff explained to this Defendant that his handcuffs were too tight, but Defendant John Doe Officer 5 refused to loosen the cuffs, causing unnecessary pain and suffering. This Plaintiff also made this officer aware of his recent hand surgery and of his pain and discomfort, but this officer also refused to loosen the cuffs, which were too tight for over an hour.

24. Several hours later, without explanation, a Chicago police officer told the Plaintiff he was no longer under arrest and was free to leave from the hospital. After enduring approximately 14 hours of illegal detention and abuse at the hands of the Defendants, the Plaintiff was left stranded in the middle of the night with no money or means to get home in a Chicago neighborhood that was foreign to him.

25. Ultimately, the Plaintiff was required to call his elderly mother in the middle of the night to have a taxi arrange for his transportation home.

26. The Plaintiff has suffered extreme physical and emotional pain and suffering as a result of this incident, including but not limited to head and neck pain, bruising, lacerations and pain and discomfort to his wrists, plus pecuniary damages.

27. Specifically, regarding the Plaintiff’s wrist injuries, the Plaintiff suffered swelling, bruising, numbness and possible nerve damage, and has an appointment to seek follow up medical treatment with his hand surgeon.

COUNT I – 42 U.S.C § 1983

False Arrest/Unlawful Detention

(Plaintiff v. Defendants John Doe Officer 1, John Doe Officer 2, Defendant Struck, and Defendant Childs)

28. Each paragraph of this Complaint is restated fully herein.

29. As described above, the Defendant Officers falsely arrested and unlawfully detained the Plaintiff without justification and without probable cause.

30. The misconduct undertaken in this Count was undertaken with malice, willfulness, and reckless indifference to the rights of others.

31. As a result of the above-described wrongful infringement of the Plaintiff's rights, he suffered damages including, but not limited to those described above.

COUNT II – 42 U.S.C. § 1983

Deliberate Indifference

(Plaintiff v. Defendants John Does 1-2, Defendant Struck, Defendant Childs)

32. Each paragraph of this Complaint is restated fully herein.

33. As described above, while the Plaintiff was held by the First Defendant Officers, Detective Struck, and Detective Childs, they failed to provide him with necessary medical attention.

34. As a result of the unjustified and unconstitutional conduct of the above-mentioned Defendants, the Plaintiff suffered injuries, described more fully above.

35. In this manner, the conduct of the above-mentioned Defendants violated the Fourteenth Amendment to the United States Constitution in that it was objectively unreasonable and deliberately indifferent to the Plaintiff's objectively serious medical needs.

36. The misconduct described in this Count was undertaken with malice, willfulness, and deliberate indifference to the rights of others.

37. The actions of the above-mentioned Defendants proximately caused the injuries suffered by the Plaintiff.

COUNT III – 42 U.S.C. § 1983
Monell Policy Claim
(Plaintiff v. Defendant City of Chicago)

38. Each paragraph of this Complaint is fully restated herein.

39. As more fully described above, while the Plaintiff was held by the Defendants, they failed to provide him with necessary medical attention, and more specifically medication.

40. The unjustified the actions of the First Defendant Officers, Defendant Struck, and Defendant Childs, in denying the Plaintiff medical attention for serious medical needs, were undertaken pursuant to one or more interrelated *de facto* policies, practices, and/or customs of the Defendant City of Chicago and its police department.

41. At all times relevant to this Complaint, the Defendant City of Chicago and its police department had interrelated *de facto* policies, practices, and/or customs which included, *inter alia*: the failure to properly train, supervise, discipline, transfer, monitor, counsel, and otherwise order or control police officers to allow arrestees/detainees with serious medical needs access to necessary medication.

42. The Plaintiff's injuries and were proximately caused by the Defendant City of Chicago's policy and practice of denying detainees with serious medical needs access to medication while in Chicago Police custody.

COUNT – 42 U.S.C. §1983
Excessive Force/Failure to Intervene
(Plaintiff v. John Doe Officer Defendants)

43. Each paragraph of this Complaint is fully restated herein.

44. The acts of the First Defendant Officers, the Second Defendant Officers, and Defendant John Doe Officer 5 in refusing to loosen the Plaintiff's handcuffs, after the Plaintiff repeatedly put them on notice of his recent hand surgery and the pain and numbness he was

experiencing, violated the Plaintiff's rights under the Fourth Amendment to the United States Constitution to be secure in his person against unreasonable seizures and thus violated 42 U.S.C. §1983.

45. The acts of the First Defendant Officers, the Second Defendant Officers, and Defendant John Doe Officer 5 in failing to prevent said abuse, despite each having the opportunity and duty to do so, violated the Plaintiff's rights under the Fourth Amendment to the United States Constitution to be secure in his person against unreasonable seizures and thus violated 42 U.S.C. §1983.

46. The aforementioned actions of the First Defendant Officers, the Second Defendant Officers, and Defendant John Doe Officer 5 were the direct and proximate cause of the violation of the Plaintiff's Fourth Amendment rights and his injuries, including but not limited to the damages described above.

COUNT IV – STATE LAW CLAIM
False Imprisonment
(Plaintiff v. Defendant City of Chicago)

47. Each paragraph of this Complaint is fully restated herein.

48. The Plaintiff was arrested and imprisoned, and thereby had his liberty to move about unlawfully restrained, despite one or more Chicago police officers, including but not necessarily limited to the Defendant Officers, knowing that there was no probable cause for doing so.

49. The above-mentioned Defendant Officers' actions and/or the actions of other City of Chicago police officers, all acting within the course and scope of their employment, were undertaken intentionally, with malice and reckless indifference to the Plaintiff's rights.

50. As a result of the above-described wrongful infringement of the Plaintiff's rights,

the Plaintiff's suffered damages, including but not limited to the damages described more fully above.

51. The misconduct described in this Count was undertaken by one or more City of Chicago police officers acting within the scope of their employment such that their employer, Defendant City of Chicago, is liable for their actions.

COUNT VI – STATE LAW CLAIM
Battery
(Plaintiff v. Defendant City of Chicago)

52. Each paragraph of this Complaint is fully restated herein.

53. One or more City of Chicago police officers, including but not necessarily limited to the John Doe Officers, knowingly and without legal justification, caused bodily harm to the Plaintiff when they refused to loosen his handcuffs, despite knowing the Plaintiff was in pain, was suffering from various medical conditions and was disabled, and had recently had surgery on his hands.

54. As described more fully above, the conduct of the individual Defendants, acting under color of law and within the scope of their employment with Defendant City of Chicago, constituted unjustified, harmful, and offensive physical contact, and proximately caused the Plaintiff's injuries.

55. The misconduct described in this Count was objectively unreasonable and undertaken intentionally, with malice, willfully and wantonly, and/or with reckless or willful indifference to the Plaintiff's rights.

COUNT VII – STATE LAW CLAIM
Negligence or Alternatively Willful and Wanton Misconduct
(Plaintiff v. Defendant City of Chicago)

56. Each paragraph of this Complaint is fully restated herein.

57. Defendant John Doe Officers 3 and 4 were transporting the Plaintiff and not enforcing the law at the time that they refused to place handcuffs on the Plaintiff, despite his request to do so and his inability to do so himself.

58. These officers, acting in the course and scope of their employment with Defendant City of Chicago, negligently and/or willfully and wantonly failed to secure the Plaintiff with a seat belt before his accident, and thus proximately caused the Plaintiff's injuries and/or exacerbated his injuries.

59. The misconduct described in this Count was objectively unreasonable and undertaken intentionally, with malice, willfully and wantonly, and/or with reckless or willful indifference to the Plaintiff's rights.

COUNT VIII – STATE LAW CLAIM
Respondeat Superior

60. Each paragraph of this Complaint is fully restated herein.

61. In committing the acts in alleged in the preceding paragraphs, each of the individual Defendants were acting as an agent or employee of the Defendant City of Chicago, and were working in the course and scope of their employment and under color of law.

62. Defendant City of Chicago is therefore liable as principle for all state law torts committed by its agents.

COUNT IX – STATE LAW CLAIM
Indemnification

63. Each paragraph of this Complaint is fully restated herein.

64. In Illinois, public entities are directed to pay any tort judgment for compensatory damages for which employees are liable within the scope of their employment activities.

65. Defendant City of Chicago is the indemnifying entity for the actions of the

individual Defendants described herein who took their actions while under color of law and in the course and scope of their employment with the City of Chicago.

Request for Relief

The Plaintiff respectfully requests that the Court enter judgment in his favor and against the Defendants, award compensatory damages and attorneys' fees against all Defendants, award punitive damages against the Defendant Officers in their individual capacities, and grant any other relief this Court deems just and appropriate.

PLAINTIFF DEMANDS TRIAL BY JURY.

Dated: February 26, 2015

Respectfully submitted,

By: s/ [REDACTED]
[REDACTED]
Attorney for the Plaintiff.

[REDACTED]
[REDACTED]
[REDACTED]
Willowbrook, IL 60527
[REDACTED]
[REDACTED]
[REDACTED]

CHICAGO POLICE DEPARTMENT

ARREST REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

(For use by Chicago Police Department Personnel Only)

CPD-11, 420C (REV. 6/30)

IDENT. CLEARED

CB #: 19056110

IR #: 2277080

YD #:

RD #: HY130190

EVENT #: 1502703438

ARREST REPORTING

OFFENDER	Name: [REDACTED]	Male	[REDACTED]
	Res: [REDACTED] Beat: 3100	White	
	Homer Glen, IL	5' 09"	
	None	165 lbs	
	DOB: [REDACTED] (05 July 1971 (LK))	Brown Eyes	
	AGE: 23 years (43 (LK))	Brown Hair	
	POB: Illinois	Short Hair Style	
	DLN: [REDACTED]	Light Complexion	
	ARMED WITH Unarmed		
INCIDENT	Arrest Date: 04 February 2015 11:30	TRR Completed? No	Total No Arrested: 1
	Location: 14 W Jefferson	Beat: 3100	Co-Arrests
	Joliet, IL		Assoc Cases
	292 - Government Building/Property		DCFS Ward ? No
	Holding Facility: District 002 Male Lockup	Dependent Children? No	
	Resisted Arrest? No	Youth Division Contacted :	Childs Laughlin, Pamela #20614
			04 February 2015 11:40
CHARGES	1	Offense As Cited 720 ILCS 5.0/12-7.5-A-2	Victim
		CYBERSTALK/CAUSE PER DISTRESS	Domestic Related [REDACTED]
	2	Offense As Cited 720 ILCS 5.0/26.5-3-A-1	
		ELEC HRSMT/OBSCENE/SAME VIC	Domestic Related [REDACTED]
		Class 4 - Type F	
FELONY REVIEW			
RECOVERED NARCOTICS	NO NARCOTICS RECOVERED		

LOG# 1075019
Attachment 5

IR #2277080

CB #: 19056110

ARREST REPORTING

WARRANT

NO WARRANT IDENTIFIED

NON-OFFENDER(S)

VICTIM AND COMPLAINANT

Name: [REDACTED]
Res: [REDACTED] Ave
Chicago, IL 60612
[REDACTED]

Beat: 1225

Female
White
DOB: [REDACTED]
Age: 35 years

Injured? No Deceased? No

Hospitalized? No

Treated and Released? No

Comments:

VICTIM AND COMPLAINANT

Name: [REDACTED]
Res: [REDACTED] Ave
Chicago, IL 60612
[REDACTED]

Beat: 1225

Male
White
DOB: [REDACTED]
Age: 35 years

Injured? No Deceased? No

Hospitalized? No

Treated and Released? No

Comments:

ARRESTEE
VEHICLE

NO ARRESTEE VEHICLE INFORMATION ENTERED

PROPERTIES

Confiscated Properties :

All confiscated properties are recorded in the e-Track System. This system can be queried by the inventory number to retrieve all official court documents related to evidence and/or recovered properties.

PROPERTIES INFORMATION FOR [REDACTED] NOT AVAILABLE IN THE AUTOMATED ARREST SYSTEM.

ARREST REPORTING

INCIDENT NARRATIVE

(The facts for probable cause to arrest AND to substantiate the charges include, but are not limited to, the following)

IN SUMMARY THIS IS AN ARREST BY BT 5751B OF THE US MARSHAL GREAT LAKES REGIONAL FUGITIVE TASK FORCE.

The subject placed in custody after victim signed complaints stating that she has been harassed by the arrestee via the internet, and facebook social media. The arrestee has engaged in sending numerous lewd and obscene messages about the victim [REDACTED] by sending them to her current fiance [REDACTED] attempting to cause her distress and anguish with knowing that this would cause the victim to have family problems. The Arrestee also harassed victim #2 by constantly sending the messages to victim number 2 and also asking victim number 2 to call him so that he could provide additional obscene information in an attempt to destroy the victims reputation. the above is not on gipp, 2 degrees, parole or probation, has ID no further wants or investigative alerts on file.(HY130190)

SEE WC COMMENTS SECTION FOR ADDITIONAL COMMENTS

COURT INFO

Desired Court Date: 11 February 2015

Branch: 64-4 555 W HARRISON ST - Room 30

Court Sgt Handle? Yes

Initial Court Date:

Branch: - Room

Docket #:

BOND INFO

BOND INFORMATION NOT AVAILABLE

REPORTING PERSONNEL

ATTESTING OFFICER:

I hereby declare and affirm, under penalty of perjury, that the facts stated herein are accurate to the best of my knowledge, information and/or belief.

Attesting Officer: #16173 TRACY, J L ([REDACTED]) 04 FEB 2015 13:10

ARRESTING OFFICER(S):

			Beat
1st Arresting Officer:	#16173	TRACY, J L ([REDACTED])	5751B
2nd Arresting Officer:	#15447	MUNIZZI, A F ([REDACTED])	5751B

APPROVING SUPERVISOR:

Approval of Probable Cause : #1951 SLOWINSKI, J B ([REDACTED]) 04 FEB 2015 13:17

ARREST PROCESSING REPORT

LOCKUP KEEPER PROCESSING

Holding Facility: District 002 Male Lockup
Received in Lockup: 04 February 2015 13:20
Prints Taken: 04 February 2015 13:14
Palmprints Taken: Yes
Photograph Taken: 04 February 2015 13:39
Released from Lockup: 04 February 2015 23:40

Time Last Fed:
Time Called: Phone#:
Cell #: FC-2
Transport Details : 2PO 5751B 04-FEB-2015 11:35

VISUAL CHECK OF ARRESTEE

Is there obvious pain or injury? No
Is there obvious signs of infection? No
Under the influence of alcohol/drugs? No
Signs of alcohol/drug withdrawal? No
Appears to be despondent? No
Appears to be irrational? No
Carrying medication? No

ARRESTEE QUESTIONNAIRE

Presently taking medication? No
(if female)are you pregnant? No
First time ever been arrested? No
Attempted suicide/serious harm? No
Serious medical or mental problems? No
Are you receiving treatment? No
Transgender/intersex/gender non-conforming? No
Deaf/hard of hearing-request interpreter for court? No
Interpreter needed? (indicate language) No

RETURN TO HOLDING FACILITY COMMENTS:

QUESTIONNAIRE REMARKS:

LOCKUP KEEPER COMMENTS:

04 FEB 2015 13:36 HUDDLESTON, Lloyd C Arrestee Claims To Have Heart And Kindey Disease And Also Is A Diabetic.

EMERGENCY CONTACT

Name : REFUSED

Res:

Beat:

INTERVIEW LOG

NO INTERVIEWS LOGGED

VISITOR LOG

NO VISITORS LOGGED

ARREST PROCESSING REPORT

MOVEMENT LOG	Action	By	Destination	Reason
	RELEASED BY	#9842 Mabery, Deborah A	04 FEB 2015 13:42 District 002 Male Lockup	
	RECEIVED BY	#16173 Tracy, Joseph L	04 FEB 2015 13:42 Area 1	Interview
	RECEIVED BY	#2359 Lopez, Samuel	04 FEB 2015 19:02 University Of Chicago Hospital	Claims To Be Diabetic.
	RECEIVED BY	#2346 Hoover, Terry	04 FEB 2015 23:46 District 002 Male Lockup	Rwoc

WC COMMENTS	Watch Commander Comments:	REL w/o CHARGING	C/I for additional evidence per ASA Boris
	#1951 Slowinski, John B () 04 FEB 2015 13:18 Det Childs #20614 to follow-up		

PROCESSING PERSONNEL	ARRESTEE PROCESSING PERSONNEL:			Beat
	Searched By:	HUDDLESTON, L C		
	Lockup Keeper:	HUDDLESTON, L C		
	Fingerprinted By:	HUDDLESTON, L C		
	Investigator Notified:	#20614 CHILDS LAUGHLIN, P D		5173
APPROVAL PERSONNEL:	Detective :	#20857 Struck, Joseph A	04 FEB 2015 22:54	
	Release w/o Charging Appvl :	#2346 HOOVER, T	04 FEB 2015 22:54	

CHICAGO POLICE DEPARTMENT
ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653
(For use by Chicago Police Department Personnel Only)
CPD-11,388(6/03)-C)

RD #: **HY130190**
EVENT #: **1502703438**
Case ID: 9941847 CASR229

INCIDENT	ASSIGNED TO FIELD		
	IUCR: 2826 - Other Offense - Harassment By Electronic Means 4387 - Other Offense - Violate Order Of Protection		
	Occurrence Location: [REDACTED] Ave Chicago IL 60612 290 - Residence	Beat: 1225	Unit Assigned: 9190 RO Arrival Date: 27 January 2015 09:07 Domestic Related Incident # Offenders: 1
	Occurrence Date: 20 January 2015 09:00		

NON OFFENDER	VICTIM - Individual		
	Name: [REDACTED]	Demographics	
	Res: [REDACTED] Ave Chicago IL 60612 [REDACTED]	Beat: 1225	Female White Age: 35 Years
	Beat: 5100		
Sobriety: Unknown			

SUSPECTS	Suspect # 1		
	Name: [REDACTED]	Demographics	
	Res: [REDACTED] Homer Glenn IL	Beat: 3100	Male White 5'08, 175 lbs Age: 43 years

RELATIONSHIP	RELATIONSHIP	
	(Victim) [REDACTED]	(Offender) [REDACTED]
	is a Former Wife of	
	(Victim) [REDACTED]	(Offender) [REDACTED]
is a Petitioner of		

DOMESTIC INFO	Order of Protection Info		Bond Info for Previous 72 hour Domestic Arrest	
	Order of Protection #: 05d530334 - IL		Violation Type: ;Stay Away Order	
	Expires: 11-FEB-15			
	Respondent: [REDACTED] - (Non Offender)			
Petitioner: [REDACTED] - (Suspect)				
Procedure Notifications				
Victim Advised of Hotline #? Yes		OOP Notice Served? Yes		
		Domestic Info Notice Provided? Yes		
		Victim Advised of Warrant Procedures? Yes		

OTHER	Miscellaneous	
	Victim Information Provided	
LOG# <u>1075019</u>		Flash Message Sent ? No
Attachment <u>8</u>		

NARRATIVE

EV#03438 IN SUMMARY, [REDACTED] (VICTIM AND COMPLAINANT) RELATED THAT HER EX-HUSBAND [REDACTED] OFFENDER VIOLATED THE ORDER OF PROTECTION WHEN HE SENT A MESSAGE TO HER AND HER FIANCEE'S OFFICE EMAIL TO CHECK OUT FB WHERE HE OPENED A FB ACCOUNT SAYING EXTREMELY VULGAR THINGS ABOUT HER.

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	1210	[REDACTED]	PADAR, James	([REDACTED])	27 Jan 2015 12:00	376	
Detective/Investigator	20857	[REDACTED]	STRUCK, Joseph, A	([REDACTED])	28 Jan 2015 10:04	610	
Reporting Officer	11721	[REDACTED]	DUERSON-CARTER, Audrey, J	([REDACTED])	27 Jan 2015 11:52	376	9190

CHICAGO POLICE DEPARTMENT
CASE SUPPLEMENTARY REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653
(For use by Chicago Police - Bureau of Investigative Services Personnel Only)

HY130190

Case id : 9941847
Sup id : 10936212 CASR339

METHOD/CAU CODE		DETECTIVE SUP. APPROVAL COMPLETE			
Last Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
OTHER OFFENSE / Harassment By Electronic Means	2826	OTHER OFFENSE / Harassment By Electronic Means			2826
Address of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
██████████ AVE	1225	1	1	0	
Location Type	Location Code	Secondary Location			Hate Crime
Residence	290				No
Date of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-JAN-2015 09:00	9190	27-JAN-2015 09:07	NO	NO	YES
Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
VAN BEVEREN, Joy	21219	VAN BEVEREN, Joy	21219	STRUCK, Joseph	20857
Date Submitted	Date Approved		Assignment Type		
28-JAN-2015 10:04	28-JAN-2015 10:05		FIELD		

THIS IS A FIELD INVESTIGATION METHOD/CAU CODE REPORT

VICTIM(S):

TYPE: Individual

Female / White / 35 Years

RES: ██████████ Ave
Chicago IL 60612
██████████

SOBRIETY: Unknown

SUSPECT(S)

Male / White / 43 Years

DESCRIPTION: 5'08, 175,

RES: ██████████
Homer Glenn IL

RELATIONSHIP OF VICTIM TO OFFENDER:

- Former Wife

PREVIOUS ORDER OF
PROTECTION INFO :

PETITIONER: ██████████ - Non-Offender

RESPONDENT: ██████████ - Suspect

LOCATION OF
INCIDENT:

██████████ Ave
Chicago IL 60612
290 - Residence

DATE & TIME OF
INCIDENT:

20-JAN-2015 09:00

METHOD CODE(S):

Domestic Incident

CAU CODE(S):

Domestic Incident

LOG# 1075019
Attachment 9

HY130190

**DOMESTIC INCIDENT
INFORMATION :**

VIOLATION TYPE: ; Stay Away Order
ORDER OF PROTECTION:
Order Of Protection Was Served
VICTIM ADVISEMENT: Victim Was Advised About The Hotline Number
VICTIM ADVISED WARR PROCS: Yes
Domestic Info was Provided
Protection was Ordered

**PERSONNEL
ASSIGNED:**

Detective/Investigator

STRUCK, Joseph A # [REDACTED]

Reporting Officer

DUERSON-CARTER, Audrey J # [REDACTED] **BEAT:** 9190

**CRIME CODE
SUMMARY:**

2826 - Other Offense - Harassment By Electronic Means
4387 - Other Offense - Violate Order Of Protection

IUCR ASSOCIATIONS:

2826 - Other Offense - Harassment By Electronic Means

[REDACTED] (Victim)
[REDACTED] (Suspect)

4387 - Other Offense - Violate Order Of Protection

[REDACTED] (Victim)
[REDACTED] (Suspect)

REPORT DISTRIBUTIONS:

No Distribution